

House Engrossed

State of Arizona
House of Representatives
Fifty-second Legislature
Second Regular Session
2016

FILED
MICHELE REAGAN
SECRETARY OF STATE

CHAPTER 42

HOUSE BILL 2264

AN ACT

AMENDING TITLE 20, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-841.11; AMENDING TITLE 20, CHAPTER 4, ARTICLE 9, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1057.16; AMENDING TITLE 20, CHAPTER 6, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1376.08; AMENDING TITLE 20, CHAPTER 6, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1406.08; RELATING TO HEALTH INSURANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 20, chapter 4, article 3, Arizona Revised Statutes,
3 is amended by adding section 20-841.11, to read:

4 20-841.11. Prescription eye drops; refills

5 A. BEGINNING JANUARY 1, 2018, ANY CONTRACT THAT IS ISSUED, DELIVERED
6 OR RENEWED BY A CORPORATION AND THAT PROVIDES COVERAGE FOR PRESCRIPTION EYE
7 DROPS TO TREAT GLAUCOMA OR OCULAR HYPERTENSION MAY NOT DENY COVERAGE FOR A
8 REFILL OF A PRESCRIPTION FOR EYE DROPS TO TREAT GLAUCOMA OR OCULAR
9 HYPERTENSION IF ALL OF THE FOLLOWING APPLY:

10 1. THE SUBSCRIBER REQUESTS THE REFILL:

11 (a) FOR A THIRTY-DAY SUPPLY, AT LEAST TWENTY-THREE DAYS AND LESS THAN
12 THIRTY DAYS FROM THE LATER OF:

13 (i) THE ORIGINAL DATE THAT THE PRESCRIPTION WAS DISTRIBUTED TO THE
14 SUBSCRIBER.

15 (ii) THE DATE OF THE MOST RECENT REFILL THAT WAS DISTRIBUTED TO THE
16 SUBSCRIBER.

17 (b) FOR A SIXTY-DAY SUPPLY, AT LEAST FORTY-FIVE DAYS AND LESS THAN
18 SIXTY DAYS FROM THE LATER OF:

19 (i) THE ORIGINAL DATE THAT THE PRESCRIPTION WAS DISTRIBUTED TO THE
20 SUBSCRIBER.

21 (ii) THE DATE OF THE MOST RECENT REFILL THAT WAS DISTRIBUTED TO THE
22 SUBSCRIBER.

23 (c) FOR A NINETY-DAY SUPPLY, AT LEAST SIXTY-EIGHT DAYS AND LESS THAN
24 NINETY DAYS FROM THE LATER OF:

25 (i) THE ORIGINAL DATE THAT THE PRESCRIPTION WAS DISTRIBUTED TO THE
26 SUBSCRIBER.

27 (ii) THE DATE OF THE MOST RECENT REFILL THAT WAS DISTRIBUTED TO THE
28 SUBSCRIBER.

29 2. THE PRESCRIPTION EYE DROPS TO TREAT GLAUCOMA OR OCULAR HYPERTENSION
30 PRESCRIBED BY THE HEALTH CARE PROVIDER ARE A COVERED BENEFIT UNDER THE
31 SUBSCRIBER'S CONTRACT.

32 3. THE PRESCRIBING HEALTH CARE PROVIDER INDICATES ON THE ORIGINAL
33 PRESCRIPTION THAT ADDITIONAL QUANTITIES OF THE PRESCRIPTION EYE DROPS TO
34 TREAT GLAUCOMA OR OCULAR HYPERTENSION ARE NEEDED.

35 4. THE REFILL REQUESTED BY THE SUBSCRIBER DOES NOT EXCEED THE NUMBER
36 OF ADDITIONAL QUANTITIES PRESCRIBED.

37 B. TO THE EXTENT PRACTICABLE, THE REQUIREMENTS OF THIS SECTION ARE
38 LIMITED IN QUANTITY TO THE REMAINING DOSAGE INITIALLY APPROVED FOR COVERAGE,
39 EXCEPT THAT ANY LIMITED REFILLING MAY NOT LIMIT OR RESTRICT COVERAGE TO ANY
40 PREVIOUSLY OR SUBSEQUENTLY APPROVED PRESCRIPTION EYE DROPS TO TREAT GLAUCOMA
41 OR OCULAR HYPERTENSION AND IS SUBJECT TO THE TERMS AND CONDITIONS OF THE
42 CONTRACT THAT ARE APPLICABLE TO THIS COVERAGE.

1 Sec. 2. Title 20, chapter 4, article 9, Arizona Revised Statutes, is
2 amended by adding section 20-1057.16, to read:

3 20-1057.16. Prescription eye drops; refills

4 A. BEGINNING JANUARY 1, 2018, ANY EVIDENCE OF COVERAGE THAT IS ISSUED,
5 DELIVERED OR RENEWED BY A HEALTH CARE SERVICES ORGANIZATION AND THAT PROVIDES
6 COVERAGE FOR PRESCRIPTION EYE DROPS TO TREAT GLAUCOMA OR OCULAR HYPERTENSION
7 MAY NOT DENY COVERAGE FOR A REFILL OF A PRESCRIPTION FOR EYE DROPS TO TREAT
8 GLAUCOMA OR OCULAR HYPERTENSION IF ALL OF THE FOLLOWING APPLY:

9 1. THE ENROLLEE REQUESTS THE REFILL:

10 (a) FOR A THIRTY-DAY SUPPLY, AT LEAST TWENTY-THREE DAYS AND LESS THAN
11 THIRTY DAYS FROM THE LATER OF:

12 (i) THE ORIGINAL DATE THAT THE PRESCRIPTION WAS DISTRIBUTED TO THE
13 ENROLLEE.

14 (ii) THE DATE OF THE MOST RECENT REFILL THAT WAS DISTRIBUTED TO THE
15 ENROLLEE.

16 (b) FOR A SIXTY-DAY SUPPLY, AT LEAST FORTY-FIVE DAYS AND LESS THAN
17 SIXTY DAYS FROM THE LATER OF:

18 (i) THE ORIGINAL DATE THAT THE PRESCRIPTION WAS DISTRIBUTED TO THE
19 ENROLLEE.

20 (ii) THE DATE OF THE MOST RECENT REFILL THAT WAS DISTRIBUTED TO THE
21 ENROLLEE.

22 (c) FOR A NINETY-DAY SUPPLY, AT LEAST SIXTY-EIGHT DAYS AND LESS THAN
23 NINETY DAYS FROM THE LATER OF:

24 (i) THE ORIGINAL DATE THAT THE PRESCRIPTION WAS DISTRIBUTED TO THE
25 ENROLLEE.

26 (ii) THE DATE OF THE MOST RECENT REFILL THAT WAS DISTRIBUTED TO THE
27 ENROLLEE.

28 2. THE PRESCRIPTION EYE DROPS TO TREAT GLAUCOMA OR OCULAR HYPERTENSION
29 PRESCRIBED BY THE HEALTH CARE PROVIDER ARE A COVERED BENEFIT UNDER THE
30 ENROLLEE'S EVIDENCE OF COVERAGE.

31 3. THE PRESCRIBING HEALTH CARE PROVIDER INDICATES ON THE ORIGINAL
32 PRESCRIPTION THAT ADDITIONAL QUANTITIES OF THE PRESCRIPTION EYE DROPS TO
33 TREAT GLAUCOMA OR OCULAR HYPERTENSION ARE NEEDED.

34 4. THE REFILL REQUESTED BY THE ENROLLEE DOES NOT EXCEED THE NUMBER OF
35 ADDITIONAL QUANTITIES PRESCRIBED.

36 B. TO THE EXTENT PRACTICABLE, THE REQUIREMENTS OF THIS SECTION ARE
37 LIMITED IN QUANTITY TO THE REMAINING DOSAGE INITIALLY APPROVED FOR COVERAGE,
38 EXCEPT THAT ANY LIMITED REFILLING MAY NOT LIMIT OR RESTRICT COVERAGE TO ANY
39 PREVIOUSLY OR SUBSEQUENTLY APPROVED PRESCRIPTION EYE DROPS TO TREAT GLAUCOMA
40 OR OCULAR HYPERTENSION AND IS SUBJECT TO THE TERMS AND CONDITIONS OF THE
41 EVIDENCE OF COVERAGE THAT ARE APPLICABLE TO THIS COVERAGE.

1 Sec. 3. Title 20, chapter 6, article 4, Arizona Revised Statutes, is
2 amended by adding section 20-1376.08, to read:

3 20-1376.08. Prescription eye drops; refills

4 A. BEGINNING JANUARY 1, 2018, ANY POLICY THAT IS ISSUED, DELIVERED OR
5 RENEWED BY A DISABILITY INSURER AND THAT PROVIDES COVERAGE FOR PRESCRIPTION
6 EYE DROPS TO TREAT GLAUCOMA OR OCULAR HYPERTENSION MAY NOT DENY COVERAGE FOR
7 A REFILL OF A PRESCRIPTION FOR EYE DROPS TO TREAT GLAUCOMA OR OCULAR
8 HYPERTENSION IF ALL OF THE FOLLOWING APPLY:

9 1. THE INSURED REQUESTS THE REFILL:

10 (a) FOR A THIRTY-DAY SUPPLY, AT LEAST TWENTY-THREE DAYS AND LESS THAN
11 THIRTY DAYS FROM THE LATER OF:

12 (i) THE ORIGINAL DATE THAT THE PRESCRIPTION WAS DISTRIBUTED TO THE
13 INSURED.

14 (ii) THE DATE OF THE MOST RECENT REFILL THAT WAS DISTRIBUTED TO THE
15 INSURED.

16 (b) FOR A SIXTY-DAY SUPPLY, AT LEAST FORTY-FIVE DAYS AND LESS THAN
17 SIXTY DAYS FROM THE LATER OF:

18 (i) THE ORIGINAL DATE THAT THE PRESCRIPTION WAS DISTRIBUTED TO THE
19 INSURED.

20 (ii) THE DATE OF THE MOST RECENT REFILL THAT WAS DISTRIBUTED TO THE
21 INSURED.

22 (c) FOR A NINETY-DAY SUPPLY, AT LEAST SIXTY-EIGHT DAYS AND LESS THAN
23 NINETY DAYS FROM THE LATER OF:

24 (i) THE ORIGINAL DATE THAT THE PRESCRIPTION WAS DISTRIBUTED TO THE
25 INSURED.

26 (ii) THE DATE OF THE MOST RECENT REFILL THAT WAS DISTRIBUTED TO THE
27 INSURED.

28 2. THE PRESCRIPTION EYE DROPS TO TREAT GLAUCOMA OR OCULAR HYPERTENSION
29 PRESCRIBED BY THE HEALTH CARE PROVIDER ARE A COVERED BENEFIT UNDER THE
30 INSURED'S POLICY.

31 3. THE PRESCRIBING HEALTH CARE PROVIDER INDICATES ON THE ORIGINAL
32 PRESCRIPTION THAT ADDITIONAL QUANTITIES OF THE PRESCRIPTION EYE DROPS TO
33 TREAT GLAUCOMA OR OCULAR HYPERTENSION ARE NEEDED.

34 4. THE REFILL REQUESTED BY THE INSURED DOES NOT EXCEED THE NUMBER OF
35 ADDITIONAL QUANTITIES PRESCRIBED.

36 B. TO THE EXTENT PRACTICABLE, THE REQUIREMENTS OF THIS SECTION ARE
37 LIMITED IN QUANTITY TO THE REMAINING DOSAGE INITIALLY APPROVED FOR COVERAGE,
38 EXCEPT THAT ANY LIMITED REFILLING MAY NOT LIMIT OR RESTRICT COVERAGE TO ANY
39 PREVIOUSLY OR SUBSEQUENTLY APPROVED PRESCRIPTION EYE DROPS TO TREAT GLAUCOMA
40 OR OCULAR HYPERTENSION AND IS SUBJECT TO THE TERMS AND CONDITIONS OF THE
41 POLICY THAT ARE APPLICABLE TO THIS COVERAGE.

1 Sec. 4. Title 20, chapter 6, article 5, Arizona Revised Statutes, is
2 amended by adding section 20-1406.08, to read:

3 20-1406.08. Prescription eye drops; refills

4 A. BEGINNING JANUARY 1, 2018, ANY POLICY THAT IS ISSUED, DELIVERED OR
5 RENEWED BY A GROUP OR BLANKET DISABILITY INSURER AND THAT PROVIDES COVERAGE
6 FOR PRESCRIPTION EYE DROPS TO TREAT GLAUCOMA OR OCULAR HYPERTENSION MAY NOT
7 DENY COVERAGE FOR A REFILL OF A PRESCRIPTION FOR EYE DROPS TO TREAT GLAUCOMA
8 OR OCULAR HYPERTENSION IF ALL OF THE FOLLOWING APPLY:

9 1. THE INSURED REQUESTS THE REFILL:

10 (a) FOR A THIRTY-DAY SUPPLY, AT LEAST TWENTY-THREE DAYS AND LESS THAN
11 THIRTY DAYS FROM THE LATER OF:

12 (i) THE ORIGINAL DATE THAT THE PRESCRIPTION WAS DISTRIBUTED TO THE
13 INSURED.

14 (ii) THE DATE OF THE MOST RECENT REFILL THAT WAS DISTRIBUTED TO THE
15 INSURED.

16 (b) FOR A SIXTY-DAY SUPPLY, AT LEAST FORTY-FIVE DAYS AND LESS THAN
17 SIXTY DAYS FROM THE LATER OF:

18 (i) THE ORIGINAL DATE THAT THE PRESCRIPTION WAS DISTRIBUTED TO THE
19 INSURED.

20 (ii) THE DATE OF THE MOST RECENT REFILL THAT WAS DISTRIBUTED TO THE
21 INSURED.

22 (c) FOR A NINETY-DAY SUPPLY, AT LEAST SIXTY-EIGHT DAYS AND LESS THAN
23 NINETY DAYS FROM THE LATER OF:

24 (i) THE ORIGINAL DATE THE PRESCRIPTION WAS DISTRIBUTED TO THE INSURED.

25 (ii) THE DATE OF THE MOST RECENT REFILL THAT WAS DISTRIBUTED TO THE
26 INSURED.

27 2. THE PRESCRIPTION EYE DROPS TO TREAT GLAUCOMA OR OCULAR HYPERTENSION
28 PRESCRIBED BY THE HEALTH CARE PROVIDER ARE A COVERED BENEFIT UNDER THE
29 INSURED'S POLICY.

30 3. THE PRESCRIBING HEALTH CARE PROVIDER INDICATES ON THE ORIGINAL
31 PRESCRIPTION THAT ADDITIONAL QUANTITIES OF THE PRESCRIPTION EYE DROPS TO
32 TREAT GLAUCOMA OR OCULAR HYPERTENSION ARE NEEDED.

33 4. THE REFILL REQUESTED BY THE INSURED DOES NOT EXCEED THE NUMBER OF
34 ADDITIONAL QUANTITIES PRESCRIBED.

35 B. TO THE EXTENT PRACTICABLE, THE REQUIREMENTS OF THIS SECTION ARE
36 LIMITED IN QUANTITY TO THE REMAINING DOSAGE INITIALLY APPROVED FOR COVERAGE,
37 EXCEPT THAT ANY LIMITED REFILLING MAY NOT LIMIT OR RESTRICT COVERAGE TO ANY
38 PREVIOUSLY OR SUBSEQUENTLY APPROVED PRESCRIPTION EYE DROPS TO TREAT GLAUCOMA
39 OR OCULAR HYPERTENSION AND IS SUBJECT TO THE TERMS AND CONDITIONS OF THE
40 POLICY THAT ARE APPLICABLE TO THIS COVERAGE.

APPROVED BY THE GOVERNOR MARCH 17, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 18, 2016.

Passed the House February 18, 2016

by the following vote: 52 Ayes,

6 Nays, 2 Not Voting

[Signature]
Speaker of the House

☐ Pro Tempore

[Signature]
Chief Clerk of the House

Passed the Senate March 15, 2016

by the following vote: 27 Ayes,

2 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

16th day of March, 20 16

at 4:02 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 17th day of

March

at 12:29 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 18 day of March, 20 16

at 9:17 o'clock A. M.

[Signature]
Secretary of State

H.B. 2264